

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

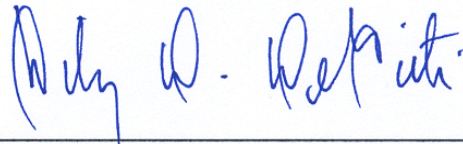
DARRIN F. MITCHELL,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-09-841-D
)	
H.A. LEDEZMA, Warden,)	
)	
Respondent.)	

ORDER

This matter is before the Court for review of the Order/Report and Recommendation issued by United States Magistrate Judge Robert E. Bacharach on August 27, 2009. Because Petitioner paid the filing fee on August 24, 2009, Judge Bacharach orders that a prior Report and Recommendation be vacated and, pursuant to 28 U.S.C. § 636(b), recommends that Petitioner's request to proceed *in forma pauperis* be denied as moot. No timely objection has been made, and thus further review is waived.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 9] is ADOPTED. Petitioner's Motion for Leave to Proceed In Forma Pauperis [Doc. No. 2] is DENIED.

IT IS SO ORDERED this 24th day of September, 2009.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE